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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: B. RIEPLER (4) EXAMINER: CHR. BOTTORFF
SERIAL NO.: 10/828,922 GROUP: 3618
FILED: APRIL 21, 2004
FOR: BOARD-TYPE RUNNER DEVICE WITH AT LEAST ONE DEVICE
FOR INCREASING RESISTANCE TO SLIPPING AND
FRICTION

RESPONSE

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office letter of February 2, 2006, applicant respectfully traverses the restriction requirement, as stated by the Examiner, but provisionally elects species X (Figs. 13 and 14) to avoid a holding of non-responsiveness.

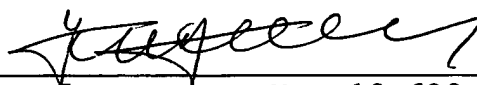
Applicant respectfully submits that Figs. 13 and 14 do **not** constitute a patentably distinct species of the disclosed invention. It is applicant's contention that only two patentably distinct species have been disclosed herein, i.e. (1) a climbing aid at the running surface of a board-shaped runner device, and (2) means for enhancing the slipping and friction resistance at the top surface of the runner device to

enable the runner device to be more comfortably carried or gripped. Claim 1 is generic to these species, as acknowledged by the Examiner.

Figs. 1-5 and 10-12 cover above-indicated species (1). Figs. 1, 2, 6-9 and 13-15 cover species (2). Provisionally elected species X falls under species (2) and claims 1, 6-14, 17-26, 32, 33 and 35-40 are readable thereon. Since some of these claims recite "running surface and/or top surface," they read on both species. All the other claims cover only species (1).

Favorable consideration of the above argument and examination of the claims on their merits are respectfully solicited.

Respectfully submitted,
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on Feb. 23, 2006.


KELLY ESPITIA